

REMARKS

Claims 22, 31 and 38 remain in this application. New claims 39-43 are added, and claims 1-21, 23-30, and 32-37 were previously cancelled. Reconsideration of the application is requested.

New claims 39-41 are readable on the species illustrated in Figure 3a, while new claims 42-43 are not.

Reconsideration of the obviousness-type double patenting rejection set forth on pages 2-3 of the Office Action is requested. Neither the Brzezinski tab members 15 nor the Scala baffles 25-27 define adjacent lugs having an angle therebetween of approximately 40° or lugs having heights of 25%-33% of an overall rectangular tube height, and nothing in any of the Brzezinski, Scala, and Kim documents suggests the provision of tube halves having wall thicknesses of 0.3mm-0.4mm. Consequently, the Kim, Brzezinski, and Scala documents relied on in the double patenting rejection do not suggest modifying the heat transfer device defined by either claim 1 or claim 2 of the Damsohn et al. patent relied on such that it is manufactured by a method comprising, in addition to the other steps specified, providing a plurality of tube halves, arranging a plurality of lugs on the tube halves, and joining pairs of the tube halves together as now particularly defined by independent claim 22. The obviousness-type double patenting rejections set forth on pages 2-3 of the Office Action should be withdrawn.

Reconsideration of the rejections under 35 U.S.C. §103(a) set forth on pages 4-5 of the Office Action is also requested. Again, nothing in any of the Brzezinski, Scala, and Kim documents suggests provision of tube halves having wall thickness of 0.3mm-0.4mm, and the Brzezinski and Kim or the Scala and Kim documents relied on in the rejections under 35 U.S.C. §103(a) do not suggest modifying the Karbach et al. heat exchanger such that it is manufactured by a method comprising, in addition to the other steps specified, providing a plurality

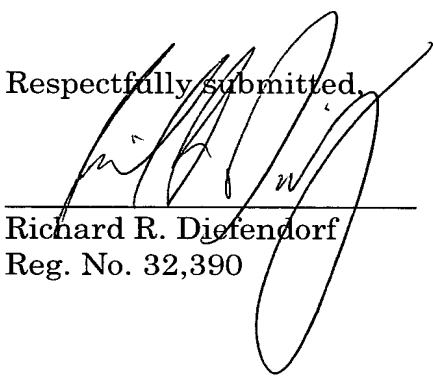
of tube halves, arranging a plurality of lugs on the tube halves, and joining pairs of the tube halves together as now particularly defined by independent claim 22.

Independent claim 22 is patentable for reasons discussed above. The rest of the claims in this application are dependent claims and are patentable as well. New claims 39-41, moreover, specify certain additional features of the invention and, as a result, are patentable separately from claim 22. Finally, examination and allowance of new claims 42-43, which depend on linking claim 22, are requested.

This application is now in condition for allowance. Should the Examiner have any questions after considering this Reply, the Examiner is invited to telephone the undersigned attorney.

Date: November 16, 2004

Respectfully submitted,



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